

**Bradley Beach Zoning Board of Adjustment
Regular Meeting Minutes
Thursday, December 19, 2019 at 6:30 PM**

Meeting is called to order by Chair Rosenberg at 6:30 PM. The Board and the public recite the Pledge of Allegiance.

Open public meeting announcement is made by the Board Secretary.

Roll Call:

Present: Michael Affuso, Robert Quinlan, Dominic Carrea, Raymond Wade, Dennis Mayer, David Critelli, and Harvey Rosenberg

Absent: Deidre Phillips, Teresa Rosenberg, Deborah Bruynell

Also Present: Mark G. Kitrick, Esq. - Attorney to the Board and Gerald Freda, PE, PP, CME – Board Engineer

The Board reviews the proposed meeting dates to be adopted at the Reorganization meeting in January.

Chair Rosenberg enters letters from Mark Kitrick, Esq. and Gerald Freda, PE of Leon S. Avakian expressing their interest in reappointment in January into the record and to become part of these meeting minutes.

Approved Meeting Minutes:

November 21, 2019 Regular Meeting Minutes - Motion to accept offered by Dennis Mayer, seconded by Raymond Wade, all eligible members in favor.

Resolutions Memorialized:

Resolution No. 2019-17A – Amended Resolution of Affirmation of Appeal of Zoning Officer’s Determination on 610 Evergreen Avenue – Kim & George Januzzi – Block 71, Lot 21 – 608 Evergreen Avenue

Resolution No. 2018-18 – Approval of Bulk Variances for Additions to Single Family Dwelling – Joseph & Carol Maselli – Block 14, Lot 34 – 120 Park Place Avenue

Resolution No. 2019-18 – Approval of Bulk Variances for Addition to Single Family Dwelling – David Levitt – Block 50, Lot 13 – 200 Fifth Avenue

Chairman makes announcement as to how the meeting will proceed.

Applications Under Consideration:

ZB19/15 – (Bulk Variances Addition of Two-Story Storage Shed in the Rear Yard) – Nicholas Biamonte – Block 15, Lot 11 – 208 Park Place Avenue – Applicant is proposing to

construct a detached two-story shed in the rear yard area which requires variances for impervious coverage, side and rear yard setbacks to the accessory structure, and the distance between structures.

Nicholas Biamonte – sworn in

Jason Hanrahan owner of Mode Architecture – sworn in

Gerald Freda, PE – Board Engineer – sworn in

Mr. Biamonte indicates he wishes to build a 2-story shed to store bikes, yard furniture, etc.

Chair Rosenberg indicates the plans indicate a 2-story shed with a studio. Mr. Biamonte indicates there is no studio. Chair Rosenberg indicates that is what has been presented to the Board. Mr. Hanrahan indicates it is strictly for storage it was just called out on the plans as a studio. Mr. Biamonte indicates there are no cars ever going to be in this shed. The side yard setback is being requested so the shed appears to line up with the driveway.

Chair Rosenberg indicates there is supposed to be a side yard setback of 5 feet and a rear yard setback of 5 feet. He asks for clarification that a shed is not supposed to be any bigger than 10x12 – 120 sq. ft. Why is that not big enough?

Mr. Biamonte indicates this is what they wanted in order to store their stuff, they have a lot of stuff.

Chair Rosenberg questions necessity of the 2nd story and why it is necessary. Feels there is a lot on the plans that just don't jive.

Robert Quinlan indicates he understands the side yard setback to align with the driveway, but why can't you meet the rear at 5 feet? It is indicated that he was trying to keep it as far away from the house as possible. Mr. Quinlan expresses concerns with the existing structure on the adjoining lot and it would not leave much space if the 5 feet is not provided from the property line for fireman etc.

It is asked if the Applicant can provide 5 foot from the rear property line – Applicant indicates yes.

It is asked if the building can be turned, this way can comply with the rear setback and pick-up 2 feet for the distance between accessory structure and house – Applicant indicates he can turn the building.

Dennis Mayer – questions why the structure is defined as 2 ½ story structure by the Zoning Officer in his determination. Jerry Freda indicates he is not certain. Mr. Hanrahan indicates he was confused by this as well. This is a 2-story building.

Jerry Freda indicates this is a very confusing application, because everybody is calling this something different, even within the plans areas are being called out as something different. This can't be considered a garage and it is too big to be considered a shed. Jerry indicates if he has to call this anything he would call it a 2-story shed. Agreed to by Mr. Hanrahan.

There are technically 5 variances that are required.

Mr. Mayer indicates we should not be redesigning this here, if the building is going to be turned, etc. you are going to need to come back.

Mr. Hanrahan indicates even if the building is turned there are still going to be variances required. Still going to need distance to the main structure.

It is indicated there will be an overage on lot coverage – The Applicant indicates he can remove some of the pavers to alleviate the coverage issue.

It is asked how many cars can fit in the driveway – It is indicated a maximum of 4 can fit, cannot fit a 5th.

Dominic Carrea – asks questions with regard to prior history of the property and the current home.

Jerry Freda indicates regardless of how the shed is moved and turned a variance will still be required as any shed placed on this property would require a variance for separation.

It is indicated the plans can be revised by turning the shed and shifting slightly and removing some of the pavers in order to reduce to 2 variances, 1 for separation and 1 for the size of the shed and come back to present the revisions to the Board in January.

Mr. Affuso questions why they are currently over their coverage when variances were not required to build this home in the first place. Jerry indicates the home complies in every other way the only thing could be maybe when they built the patio it was built bigger than it should have been?

Dominic Carrea – questions whether only electric is being proposed – It is indicated yes, only electric, no plumbing or heating is proposed. Mr. Carrea indicates he has an issue with a 2-story shed.

Michael Affuso – questions whether there is a definition of a shed – it is indicated there is no definition.

Robert Quinlan indicates it appears storage space is being lost with the proposed stairs to a second story.

OPEN TO PUBLIC:

Thomas J. Coan – 612 Third Avenue – questions how far the existing front setback is on home – it is indicated 24.22 feet to the porch. Mr. Coan comments were they aware the house is set back further than required as the porch can project into the front yard setback? Ok – Mr. Coan indicates that explains why you cannot meet the distance between structures. Mr. Coan asks if Mr. Hanrahan has ever done work in Rumson. Mr. Hanrahan indicates yes – a discussion takes place with regard to garage structures and possibly proposing a single story 12 x 20 garage vs. a shed. Mr. Hanrahan indicates he will discuss with his client.

The Applicant and Architect agree to take the Board's comments into consideration and revise the plans accordingly and come back with a new proposal in January.

Based upon the application submitted and the testimony provided, Harvey Rosenberg makes a motion to carry this application to the January 9, 2020 meeting with no further notice being required, moved and seconded by Robert Quinlan.

Those in favor: David Critelli, Michael Affuso, Raymond Wade, Dominic Carrea, Robert Quinlan, Dennis Mayer, and Harvey Rosenberg.

Those opposed: None.

Those abstained: None.

Those absent: Teresa Rosenberg, Deborah Bruynell, and Deidre Phillips

ADJOURNMENT:

WITH NO FURTHER BUSINESS BEFORE THE BOARD A MOTION TO ADJOURN WAS OFFERED BY CHAIR ROSENBERG AND SECONDED BY ROBERT QUINLAN, ALL IN FAVOR. MEETING CLOSED AT 7:05 PM.

NEXT SCHEDULED MEETING WILL BE OUR REORGANIZATION MEETING ON THURSDAY, JANUARY 9, 2020 AT 6:30 PM TO BE IMMEDIATELY FOLLOWED BY A REGULAR MEETING HERE IN THE MUNICIPAL COMPLEX MEETING ROOM.

Minutes submitted by Kristie Dickert, Board Secretary